

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:03-cr-00055-FDW-DCK

UNITED STATES OF AMERICA,)
)
)
vs.)
)
(1) ANDREW TIMOTHY JONES,) ORDER
)
)
Defendant.)
)
)

THIS MATTER is before the Court on Defendant's Motion for a Reduced Sentence under the First Step Act (Doc. No. 168) and Motion to Appoint Counsel (Doc. No. 169).

The Court hereby ORDERS the Government to respond to Defendant's Motion (Doc. No. 937). The Government shall have **ninety (90) days** from the date of this Order to file its response with the Court. The Government shall advise the United States Probation Office if the Government believes a supplemental Presentence Investigation Report will be required.

With respect to the Motion to Appoint Counsel, criminal defendants have no right to counsel beyond their first appeal. E.g., United States v. Kenny, No. 3:01-cr-00185-FDW, 2020 WL 2094116, at *1 (W.D.N.C. Apr. 30, 2020); United States v. Ismel, No. 3:94-CR-00008-1, 2012 WL 113392, at *1 (W.D. Va. Jan. 13, 2012). Defendant has not shown extraordinary circumstances warranting the appointment of counsel at this time. The Motion for Appointment of Counsel (Doc. No. 169) is therefore DENIED.

IT IS SO ORDERED.

Signed: July 14, 2021


Frank D. Whitney
United States District Judge
